



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/081,922	02/21/2002	Julianna Lisiewicz	RGT 9771	4590

7590 04/03/2009

LOOPER, VALERIE E.
11726 LIGHTFALL COURT
COLUMBIA, MD 21044

EXAMINER

ART UNIT	PAPER NUMBER
----------	--------------

DATE MAILED: 04/03/2009

Please find below and/or attached an Office communication concerning this application or proceeding.

The appeal brief filed 12-16-08 is defective because it does not follow the format of MPEP 1205, 37 CFR 41.37.

The real party in interest section is OK.

The Related Cases section is OK.

The “jurisdiction” section should be deleted.

The Table of Contents section is optional but should be simplified and put before the “Real Party in interest” section (see MPEP 1205.03, pg 1200-16).

The Table of Authorities section should be deleted.

A “Status of claims” page is missing.

The “Status of Amendments” section is OK.

The Summary of Claimed Subject Matter is missing. This section should provide a concise explanation of the subject matter defined in each independent claim and refer to the specification by page and line number and to the drawings if any by reference characters. The description of claim 23 in the appendix labeled “Claim Support” on pg 39 appears similar to what is required for this section but will require a concise explanation of claim 23. For each dependent claim argued separately, every means plus function and step plus function must be identified and the structure, material or acts described in the spec as corresponding to each claimed function must be set forth with reference to the specification by page and line number (see MPEP 1205.02, pg 1200-14).

The Grounds of Rejection is OK but can be simplified. The Grounds of Rejection should also clearly state claims “23-26, 28, 30-33, 35 and 40-44 stand rejected under....”

The Statement of Facts section should be deleted.

The Arguments on pg 28 are OK. If any of the Statement of Facts relate to the Arguments, they should be incorporated into the Arguments section under the appropriate argument rejection.

The Claims Appendix (pg 37) is in error because all the pending claims are rejected; none are "objected to".

The Claims Support Appendix (pg 39) should be deleted and incorporated as necessary into the Summary of Claimed Subject Matter section.

The Drawing Analysis Appendix (pg 42) should be deleted.

The Evidence Appendix is in error. As written, this section merely cites sections of the specification which can be incorporated into the arguments section as necessary. Instead, this section should include copies of the evidence submitted under 37 CFR 1.130, 1.131 or 1.132 or of any other evidence entered by the examiner and relied upon by appellant in the appeal, along with a statement setting forth where in the record that evidence was entered by the examiner.

The Related Cases Appendix (pg 46) should be deleted and incorporated into the Related Cases section if necessary.